

APPENDIX "1"

<u>Serial Number</u>	<u>What is Being Assigned</u>
1. U.S. application serial number 08/704,159	entire application and invention
2. PCT/US97/15394	entire application and invention, including any national filings

NON-EXCLUSIVE PATENT LICENSE

WHEREAS Ophidian Pharmaceuticals, Inc., a Delaware corporation with a place of business at 5445 East Cheryl Parkway, Madison, Wisconsin 53711 ("OPHIDIAN"), is the owner of United States patent 5,919,665 and United States patent application serial number 08/704,159 and corresponding foreign patents and patent applications (the "665 RELATED PATENTS")

WHEREAS the United States government has expressed a desire to acquire a license to the '665 RELATED PATENTS in order to pursue vaccine development;

NOW, THEREFORE, in a spirit of cooperation, in view of the governments desire to pursue research towards developing a botulism vaccine, and in furtherance of its own business objectives, OPHIDIAN hereby grants to the government of the United States of America a non-exclusive, nontransferable, non-commercial, irrevocable, royalty free and paid-up license, restricted to the field of botulinum vaccine development, to make, have made, or use the inventions encompassed by the claims of the '665 RELATED PATENTS.

This Nonexclusive License has been submitted for recordation by the United States Patent and Trademark Office, is therefore effective immediately, and shall forever bind OPHIDIAN and its successors and assigns.

OPHIDIAN PHARMACEUTICALS, INC.

DATE: 24 MARCH 2000

Douglas C. Stafford, Ph.D.
President and Chief Executive Officer
OPHIDIAN PHARMACEUTICALS, INC.

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

On this the 24th day of March, in the year 2000, before me, the undersigned notary public, personally appeared Douglas C. Stafford, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed above, and acknowledged that he executed the same on behalf of Ophidian Pharmaceuticals, Inc.,

-SEAL-

NOTARY PUBLIC

May Ellen Waite

COMMISSION EXPIRES 9-30-2001

APPENDIX "A"

<u>Serial Number</u>	<u>What is Assigned By This Agreement</u>
1. U.S. Patent 5,919,665	The entire patent
2. PCT/US95/13737 (WO 96/12802)	<p>The invention, application and subject matter of claims 1-35 , including any divisional application relating to claims 1-35, and any national filings relating to any of the subject matter of claims 1-35 .</p> <p>The subject matter of claims 36-129 which relates to non-botulinum subject matter, is retained by OPHIDIAN.</p>
3. South African Patent 95/8990	The entire patent (with a license back to Ophidian as set forth in the Agreement)

NON-EXCLUSIVE PATENT LICENSE

WHEREAS the United States government has expressed a desire to acquire a license to the '665 RELATED PATENTS in order to pursue vaccine development;

This Nonexclusive License has been submitted for recordation by the United States Patent and Trademark Office, is therefore effective immediately, and shall forever bind OPHIDIAN and its successors and assigns.

DATE: 24 MARCH 2000

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S, INC.

On this the 24th day of March, in the year 2000, before me, the undersigned notary public, personally appeared Douglas C. Stafford, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed above, and acknowledged that he executed the same on behalf of Ophidian Pharmaceuticals, Inc.,

-SEAL-

Mary Ellen Wase
COMMISSION EXPIRES 9-30-2001

APPENDIX C

EXCLUSIVE PATENT LICENSE (LICENSE B)

WHEREAS, Allergan, Inc., a Delaware Corporation, having a place of business at 2525 Dupont Drive, Irvine, California 92612, and its affiliate Allergan Botox Limited, an Irish corporation (collectively "ALLERGAN"), has acquired ownership of South African Patent 95/8990 pursuant to the AGREEMENT attached hereto.

WHEREAS, Ophidian Pharmaceuticals, Inc. a Delaware corporation with a place of business at 5445 East Cheryl Parkway, Madison Wisconsin 53711 ("OPHIDIAN"), has expressed a desire to acquire an exclusive license to the C. difficile claims of the South African Patent 95/8990.

NOW, THEREFORE, in a spirit of cooperation, in view of OPHIDIAN's desire to pursue its own business objectives, ALLERGAN hereby grants to OPHIDIAN an exclusive, royalty free and fully paid-up license, restricted to claims 35-101 (the C. difficile claims) in South African Patent 95/8990, to make, have made, or use the inventions encompassed by these claims.

This exclusive License has been submitted for recordation by the United States Patent and Trademark Office, is therefore effective immediately, and shall forever bind ALLERGAN and its successors and assigns.

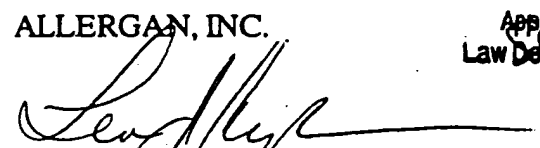
OPHIDIAN PHARMACEUTICALS, INC.



Douglas C. Stafford, Ph.D.
President and Chief Executive Officer

Date: March 29, 2000

ALLERGAN, INC.



Lester J. Kaplan, Ph.D.
President, Research & Development

Date: March 31, 2000

Approved
Law Department